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#### From the INTERNATIONAL SEARCHING AUTHORITY

To:



NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL

OKABE, Masao No. 602, Fuji Bldg. SEARCHING AUTHORITY, OR THE DECLARATION 2-3, Marunouchi 3-chome Chiyoda-ku Tokyo 1000005 JAPAN (PCT Rule 44.1) Date of mailing (day/month/year) 20/09/2005 Applicant's or agent's file reference See paragraphs 1 and 4 below FOR FURTHER ACTION 05517989WO01 International filing date International application No. (day/month/year) 27/06/2005 PCT/JP2005/012268 Applicant CANON KABUSHIKI KAISHA

1. X	The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.
	Filing of amendments and statement under Article 19: The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46): When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.
	Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Fascimile No.: (41–22) 740.14.35
	For more detailed instructions, see the notes on the accompanying sheet.
2. 🗌	The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
з. 🗌	With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
	the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.  no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.
	The decision has been made yet on the present are approximately
4. Rei	minders
Into	ortly after the expiration of 18 months from the priority date, the international application will be published by the emational Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international plication, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, and the priority claim, and propositions for international publication.

before the completion of the technical preparations for international publication

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the PCT Applicant's Guide, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the International Searching Authority

European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016

Authorized officer

Johannes Van Brummelen

(See notes on accompanying sheet)

#### NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

#### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

#### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been is filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

#### What documents must/may accompany the amendments?

#### Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

Notes to Form PCT/ISA/220 (first sheet) (January 1994)

#### NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

### The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

- [Where originally there were 48 claims and after amendment of some claims there are 51]:
   "Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
- [Where originally there were 15 claims and after amendment of all claims there are 11]: "Claims 1 to 15 replaced by amended claims 1 to 11."
- [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
   "Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
   "Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
- [Where various kinds of amendments are made]:
   "Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

#### "Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

#### It must be in the language in which the international appplication is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

#### Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

#### Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

#### PATENT COOPERATION TREATY

## PCT

#### INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER		see Form PCT/ISA/220	
05517989WO01	ACTION		as, where applicable, item 5 below.	
International application No.	International filing date (day/month,	year)	(Earliest) Priority Date (day/month/year)	
PCT/JP2005/012268	27/06/2005		28/06/2004	
Applicant				
CANON KABUSHIKI KAISHA		-		
This International Search Report has bee according to Article 18. A copy is being tra	n prepared by this International Sear ansmitted to the International Bureau	ching Auth	nority and is transmitted to the applicant	
This International Search Report consists	of a total of she	ets.		
X It is also accompanied by	a copy of each prior art document ci	led in this	report.	
Basis of the report     a. With regard to the language, the language in which it was filed, un	international search was carried out less otherwise indicated under this it	on the ba	sis of the international application in the	
The international this Authority (Ru		of a trans	lation of the international application furnished to	
b. With regard to any nucle	otide and/or amino acid sequence	disclosed	I in the international application, see Box No. I.	
2. Certain claims were for	2. Certain claims were found unsearchable (See Box II).			
3. Unity of invention is lac	3. Unity of invention is lacking (see Box III).			
4. With regard to the title,				
-	ubmitted by the applicant.			
the text has been establi	shed by this Authority to read as folio	ws:		
5. With regard to the abstract,				
the text is approved as s	submitted by the applicant.			
the text has been estable may, within one month f	ished, according to Rule 38.2(b), by from the date of mailing of this interna	his Autho tional sea	rity as it appears in Box No. IV. The applicant arch report, submit comments to this Authority.	
6. With regard to the drawings,				
	published with the abstract is Figure	No. <u>6</u>		
as suggested by	the applicant.			
	his Authority, because the applicant			
<ul><li>as selected by this Authority, because this figure better characterizes the invention.</li><li>none of the figures is to be published with the abstract.</li></ul>				
b none of the figures is to	be published with the abstract.			

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP2005/012268

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

A method of manufacturing an ink jet head includes a process of forming a photodegradable positive type resist layer on a substrate having energy generating elements, a process of forming a structure which becomes an ink flow path by exposing and developing the photodegradable positive type resist layer, a process of coating the substrate having said structure with a negative type resist layer, a process of forming ink discharge ports in the negative type resist layer, and process of forming the ink flow path by removing said structure, wherein the photodegradable positive type resist layer includes an acrylic copolymer composition, containing at least a unit obtained from (meta) acrylic ester and further containing a unit obtained from (meta) acrylic acid. The acrylic copolymer composition contains the (meta) acrylic acid unit at a proportion of 5 to 30 weigth %, and weigth average molecular weigth of the acrylic copolymer ranges from 50000 to 300000.

#### INTERNATIONAL SEARCH REPORT

International Application No PCT/JP2005/012268

A. CLASSIF IPC 7	ECATION OF SUBJECT MATTER B41J2/16						
According to International Patent Classification (IPC) or to both national classification and IPC							
B. FIELDS S							
Minimum doo IPC 7	currentation searched (classification system followed by classificat $B41J$	lion symbols)					
Documentati	ion searched other than minimum documentation to the extent that	such documents are included in the fields sea	arched				
Clastronio di	ata base consulted during the International search (name of data b	ase and, where practical, search terms used)					
_	-						
EPO-Int	ternal						
C. DOCUME	ENTS CONSIDERED TO BE RELEVANT						
Calegory °	Citation of document, with indication, where appropriate, of the re	elevant passages	Relevant to claim No.				
X	EP 0 814 380 A (CANON KABUSHIKI 29 December 1997 (1997-12-29) page 14, line 26 - line 29	KAISHA)	1-12				
A	EP 0 734 866 A (CANON KABUSHIKI 2 October 1996 (1996-10-02) example 3	KAISHA)	1,12				
А	EP 1 380 425 A (CANON KABUSHIKI 14 January 2004 (2004-01-14) paragraphs '0025!, '0042!	KAISHA)	1,12				
Α	EP 1 380 423 A (CANON KABUSHIKI 14 January 2004 (2004-01-14) paragraphs '0020!, '0021!, '0069!		1,12				
		!					
Further documents are listed in the continuation of box C.    X   Patent family members are listed in annex.							
Special ca	Special categories of cited documents:						
*A* document defining the general state of the art which is not considered to be of particular relevance  *A* document defining the general state of the art which is not cited to understand the principle or theory underlying the invention							
	*E' earlier document but published on or after the international  "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to						
"L" document which may throw doubts on priority claim(s) or involve an inventive step when the document is taken alone which is cited to establish the publication date of another "Y" document of particular relevance; the claimed invention							
citation or other special reason (as specified)  *O* document referring to an oral disclosure, use, exhibition or other means  continuous to a person skilled cannot be considered to involve an inventive step when the document is combined with one or more other such document is combination being obvious to a person skilled							
P' docum	'P' document published prior to the international filing date but later than the priority date claimed '8' document member of the same patent family						
Date of the	e actual completion of the international search	Date of mailing of the international sea	arch report				
8	3 September 2005	20/09/2005					
Name and	Name and mailing address of the ISA  Authorized officer						
	European Patent Office, P.B. 5818 Patentlaan 2 NL – 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nt, Fax: (+31-70) 340-3016	Bardet, M					

#### INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No
PCT/JP2005/012268

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
EP 0814380	Α	29-12-1997	JP	2960608 B2	12-10-1999
LI 0014500	••	20 22 27	JP	5330066 A	14-12-1993
			EP	0814380 A2	29-12-1997
			AT	175279 T	15-01-1999
			AT	197741 T	15-12-2000
			DE	69322812 D1	11-02-1999
			DE	69322812 T2	10-06-1999
			DE	69329702 D1	28-12-2000
			DE	69329702 T2	10-05-2001
			EP	0573023 A1	08-12-1993
			US	5458254 A	17-10-1995
			US	5945260 A	31-08-1999
EP 0734866	A	02-10-1996	DE	69603639 D1	16-09-1999
21 0701000	• •		DE	69603639 T2	13-04-2000
			EP	0734866 A2	02-10-1996
			JP	3524258 B2	10-05-2004
			JP	8323985 A	10-12-1996
			US	6461798 B1	08-10-2002
EP 1380425	A	14-01-2004	<b></b> JP	2004046217 A	12-02-2004
			CN	1475350 A	18-02-2004
			EP	1380425 A1	14-01-2004
			TW	221122 B	21-09-2004
			US	2004131957 A1	08-07-2004
EP 1380423	Α	14-01-2004	JP	2004042650 A	12-02-2004
_:			CN	1475352 A	18-02-2004
			ΕP	1380423 A1	14-01-2004
			TW	225448 B	21-12-2004
			US	2004072107 A1	15-04-2004

#### PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY To: WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY see form PCT/ISA/220 (PCT Rule 43bis.1) Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet) Applicant's or agent's file reference FOR FURTHER ACTION See paragraph 2 below see form PCT/ISA/220 Priority date (day/month/year) International filing date (day/month/year) International application No. 28.06.2004 27.06.2005 PCT/JP2005/012268 International Patent Classification (IPC) or both national classification and IPC B41J2/16 Applicant CANON KABUSHIKI KAISHA This opinion contains indications relating to the following items: Basis of the opinion Box No. 1 Box No. II Priority Non-establishment of opinion with regard to novelty, inventive step and industrial applicability ☐ Box No. III Lack of unity of invention □ Box No. IV Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial Box No. V applicability; citations and explanations supporting such statement Certain documents cited ☐ Box No. VI Certain defects in the international application ☐ Box No. VII Box No. VIII Certain observations on the international application **FURTHER ACTION** 2. If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1 bis(b) that written opinions of this International Searching Authority will not be so considered. If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later. For further options, see Form PCT/ISA/220. For further details, see notes to Form PCT/ISA/220. **Authorized Officer** Name and mailing address of the ISA:

Bardet, M

Telephone No. +31 70 340-4186

Fax: +31 70 340 - 3016

European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx; 31 651 epo nl

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/JP2005/012268

	Box	( No	). I	Basis of the opinion
1.	Witl the	h reg lang	gard guag	to the <b>language</b> , this opinion has been established on the basis of the international application in e in which it was filed, unless otherwise indicated under this item.
		lan	aua	inion has been established on the basis of a translation from the original language into the following geture of a translation furnished for the purposes of international search Rules 12.3 and 23.1(b)).
2.	Wit	h reg	gard ary t	to any <b>nucleotide and/or amino acid sequence</b> disclosed in the international application and o the claimed invention, this opinion has been established on the basis of:
	a. t	уре	of m	paterial:
			a se	equence listing
			tabl	e(s) related to the sequence listing
	b. f	orm	at of	material:
			in w	vritten format
			in c	omputer readable form
	c. t	ime	of fi	ling/furnishing:
			cor	tained in the international application as filed.
			file	d together with the international application in computer readable form.
			furr	nished subsequently to this Authority for the purposes of search.
3	. 🗆	ha co	is be	ition, in the case that more than one version or copy of a sequence listing and/or table relating thereto een filed or furnished, the required statements that the information in the subsequent or additional is identical to that in the application as filed or does not go beyond the application as filed, as oriate, were furnished.
4	. Ad	Iditio	nal	comments:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims

6-11

No: Claims

1-5,12

Inventive step (IS)

Yes: Claims

No: Claims

1-12

Industrial applicability (IA)

Yes: Claims No: Claims 1-12

2. Citations and explanations

see separate sheet

Box No. VIII Certain observations on the International application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

#### Re Item V:

- 1. Reference is made to the following document:
- D1: EP-A-0 814 380 (CANON KABUSHIKI KAISHA) 29 December 1997 (1997-12-29)
- 2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1 to 5 and 12 is not new in the sense of Article 33(2) PCT.
  - 2.1 The document D1 discloses (the references in parentheses applying to this document):
    - a method of manufacturing an ink jet head which includes a discharge port (7) for discharging an ink droplet, an ink flow path (made by removal of 4), communicated with the discharge port, and an energy generating element (2) for discharging the ink droplet from the discharge port, the method for manufacturing an ink jet head comprising:
    - a process of forming a photodegradable positive type resist layer on a substrate having the energy generating element (before fig. 2, see page 7, lines 40 to 42),
    - a process of forming a structure (4) which becomes the ink flow path by exposing and developing the photodegradable positive type resist (fig. 2 see page 7, lines 40 to 42),
    - a process of coating the substrate having the structure which becomes the ink flow path with a negative type resist layer (see fig. 3),
    - a process of forming the ink discharge port in the negative resist layer (see fig. 4 and 5), and
    - a process of forming the ink flow path communicated with the discharge port by removing the structure which becomes the ink flow path,
    - wherein the photo degradable positive type resist includes an acrylic copolymer composition, the acrylic copolymer composition containing at least a unit obtained from (meta) acrylic ester (here methylmethacrylate, see embodiment 9) as a main content, the acrylic copolymer composition further containing a unit obtained from (meta) acrylic acid (methacrylic acid), the acrylic copolymer composition contains the (meta) acrylic acid unit at a proportion of 18 weight% (see explanation below), and the weight average molecular weight of the acrylic copolymer is 150000.

Thus claim 1 is not novel in the sense of Article 33(2) PCT.

Explanation of the 18 weight% of (meta) acrylic acid unit in the copolymer: Methylmethacrylate has the following formula:  $C_5H_8O_2$ , and methacrylic acid is  $C_4H_6O_2$ . Thus, their weight ratio is 100/86. The document teaches that their copolymerization ratio is 8/2, therefore the weight% of (meta) acrylic acid unit is (2x86x100)/((8x100)+(2x86))=18%.

- 2.2 Document D1 also discloses all the additional features of claims 2 to 5 and 12.
- 3. Dependent claims 6 to 11 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, the reasons being as follows:
  - 3.1 Claims 6 to 10 relate to the composition of the developing solution used in the process of forming the structure which becomes the ink flow path. It is well-know in the art to use an alkaline solution when developing an acid, and this therefore does not involve an inventive step (claim 6). The additional features of claims 7 to 10 relate to mere choices of compounds among several straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to solve the problem posed.
  - 3.2 The additional feature of claim 11 consists in the selection of a smaller range of weight%: 5 to 15 weight%. Though document D1 only describes one value, such a selection can only be regarded as inventive, if it presents unexpected effects or properties in relation to the rest of the range. However, no such effects or properties are indicated in the application. Hence, no inventive step is present in the subject-matter of claim 11.

#### Re Item VIII:

1. The application does not meet the requirements of Article 6 PCT, because claims 1 to 5 and 11 are not clear.

#### International application No.

# WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

PCT/JP2005/012268

Indeed, these claims mention (meta) acrylic ester and/or (meta) acrylic acid. The usual terms are (meth) acrylic ester and (meth) acrylic acid, with "(meth)" meaning "acrylic or methacrylic".

Moreover in claim 2, R1 and R3 are said to be hydrogen -thus acrylic ester/acid-, alkyl groups with 1 carbon -thus methacrylic ester/acid-, but also alkyl groups with 2 or 3 carbons. This is normally not covered by the wording "(meth) acrylic ester/acid", thus leading to unclarity.

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